

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HERSHEL RODNEY NUZUM,	)	
	)	8:05cv406
Plaintiff,	)	
	)	MEMORANDUM AND ORDER
vs.	)	
	)	
SALLIE MAE SERVICING	)	
CORPORATION,	)	
	)	
Defendant.	)	

This matter is before the court on filing nos. 9 and 10, the Motion to Repeal the Higher Educational Act of 1965 and Motion for a Hearing, filed by the plaintiff, Hershel Rodney Nuzum. The motions are denied.

This court is not empowered to repeal the Higher Educational Act of 1965. In addition, the Motion for A Hearing is premature, as the plaintiff has not yet accomplished service of process on the defendant. The plaintiff is reminded that Fed. R. Civ. P. 4(m) requires service of process on a defendant within 120 days of the filing of the original complaint. Failure to meet that deadline can lead to dismissal of the case.

SO ORDERED.

December 6, 2005.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge